## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS WACO DIVISION

WSOU INVESTMENTS, LLC D/B/A	§	
BRAZOS LICENSING AND	§	CIVIL ACTION 6:20-cv-00487-ADA
DEVELOPMENT,	§	CIVIL ACTION 6:20-cv-00488-ADA
Plaintiff,	§	CIVIL ACTION 6:20-cv-00489-ADA
	§	CIVIL ACTION 6:20-cv-00490-ADA
	§	CIVIL ACTION 6:20-cv-00491-ADA
<b>v.</b>	§	CIVIL ACTION 6:20-cv-00492-ADA
	§	CIVIL ACTION 6:20-cv-00493-ADA
	§	CIVIL ACTION 6:20-cv-00494-ADA
	§	CIVIL ACTION 6:20-cv-00495-ADA
ZTE CORPORAION, ZTE (USA)	§	CIVIL ACTION 6:20-cv-00496-ADA
INC, AND ZTE (TX), INC.,	§	CIVIL ACTION 6:20-cv-00497-ADA
Defendants.		

## **SCHEDULING ORDER**

Date	Item
November 10, 2020	Case Management Conference
November 24, 2020 (2 weeks after the CMC)	Deadline for Motions to Transfer
January 6, 2021 (7 weeks after the CMC)	Defendant serves preliminary invalidity contentions in the form of (1) a chart setting forth where in the prior art references each element of the asserted claim(s) are found, (2) an identification of any limitations the Defendant contends are indefinite or lack written description under section 112, and (3) an identification of any claims the Defendant contends are directed to ineligible subject matter under section 101. Defendant shall also produce (1) all prior art referenced in the invalidity contentions, (2) technical documents, including software where applicable, sufficient to show the operation of the accused product(s), and (3) summary, annual sales information for the accused product(s) for the two years preceding the filing of the Complaint, unless the parties agree to some other timeframe.
January 22, 2021 (9 weeks after the CMC)	Parties exchange claim terms for construction.
February 12, 2021(11 weeks after the CMC)	Parties exchange proposed claim constructions.

Date	Item
February 19, 2021	Parties disclose extrinsic evidence. The parties shall disclose any
(12 weeks after the CMC)	extrinsic evidence, including the identity of any expert witness
	they may rely upon in their opening brief with respect to claim
	construction or indefiniteness. With respect to any expert
	identified, the parties shall identify the scope of the topics for the
	witness's expected testimony. With respect to items of extrinsic
	evidence, the parties shall identify each such item by production
	number or produce a copy of any such item if not previously
	produced.
February 26, 2021	Deadline to meet and confer to narrow terms in dispute and
(13 weeks after the CMC)	exchange revised list of terms/constructions.
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March 12, 2021	Parties file Opening claim construction briefs, including any
(14 weeks after the CMC)	arguments that any claim terms are indefinite.
March 26, 2021	The parties shall disclose the identity of any rebuttal expert
(16 weeks after the CMC)	witness they may rely upon in their response brief with respect
	to claim construction or indefiniteness. With respect to any
	expert identified, the parties shall identify the scope of the topics
	for the witness's expected testimony.
April 9, 2021	Parties file Responsive claim construction briefs.
(17 weeks after the CMC)	Tarties the Responsive claim construction offers.
April 28, 2021	Parties file Reply claim construction briefs.
(19 weeks after the CMC)	Turnes me reprij etam eenstrueten erietsi
May 5, 2021	Parties submit Joint Claim Construction Statement and provide
(20 weeks after CMC)	copies of briefs to the Court.
	See General Issues Note #8 regarding providing copies of the
	briefing to the Court and the technical adviser (if appointed)
May 10, 2021	Parties submit option technical tutorials to the Court and
(22 weeks after CMC, but	technical advisor (if appointed).
at least one week before	
Markman)	
May 20-21, 2021	Markman hearing at 9:00 a.m.
May 24, 2021	Fact Discovery opens; deadline to serve Initial Disclosures per
(1 business day after	Rule 26(a).
Markman hearing)	D 111
July 2, 2021	Deadline to add parties.
(6 weeks after <i>Markman</i> )	

Date	Item
July 16, 2021 (8 weeks after Markman)	Deadline to serve Final Infringement and Invalidity Contentions. After this date, leave of Court is required for any amendment to Infringement o Invalidity contentions. This deadline does not relieve the Parties of their obligation to seasonably amend if new information is identified after initial contentions.
<b>September 16, 2021</b>	Deadline to amend pleadings. A motion is not required unless
(16 weeks after <i>Markman</i> )	the amendment adds patents or patent claims. (Note: This includes amendments in response to a 12(c) motion.)
November 19, 2021 (26 weeks after <i>Markman</i> )	Deadline for the first of two meet and confers to discuss significantly narrowing the number of claims asserted and prior art references at issue. Unless the parties agree to the narrowing, they are ordered to contact the Court's Law Clerk to arrange a
December 17, 2021 (30 weeks after Markman)	teleconference with the Court to resolve the disputed issues.  Close of Fact Discovery.
December 31, 2021 (31 weeks after Markman)	Opening Expert Reports.
January 21, 2022 (35 weeks after Markman)	Rebuttal Expert Reports.
February 11, 2022 (38 weeks after <i>Markman</i> )	Close of Expert Discovery.
February 18, 2022 (39 weeks after <i>Markman</i> )	Deadline for the second of two meet and confers to discuss narrowing the number of claims asserted and prior art references at issue to triable limits. To the extent it helps the parties determine these limits, the parties are encouraged to contact the Court's Law Clerk for an estimate of the amount of trial time anticipated per side. The parties shall file a Joint Report within 5 business days regarding the results of the meet and confer.
February 25, 2022 (40 weeks after <i>Markman</i> )	Dispositive motion deadline and <i>Daubert</i> motion deadline.  See General Issues Note #8 regarding providing copies of the briefing to the Court and the technical adviser (if appointed).
March 11, 2022 (42 weeks after Markman)	Serve Pretrial Disclosures (jury instructions, exhibit lists, witness lists, discovery and deposition designations).
March 25, 2022 (44 weeks after Markman)	Serve objections to pretrial disclosures/rebuttal disclosures.
April 1, 2022 (45 weeks after Markman)	Serve objections to rebuttal disclosures and file motions <i>in limine</i> .

Date	Item
April 8, 2022 (46 weeks after Markman)	File Joint Pretrial Order and Pretrial Submissions (jury instructions, exhibit lists, witness lists, discovery and deposition designations); file oppositions to motions <i>in limine</i> .
April 15, 2022 (47 weeks after Markman)	File Notice of Request for Daily Transcript or Real Time Reporting. If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and e-mail the Court Reporter, Kristie Davis at <a href="mailto:kmdaviscsr@yahoo.com">kmdaviscsr@yahoo.com</a> .  Deadline to meet and confer regarding remaining objections and disputes on motions <i>in limine</i> .
April 26, 2022 (3 business days before Final Pretrial Conference)	File joint notice identifying remaining objections to pretrial disclosures and disputes on motion <i>in limine</i> .
April 29, 2022 (49 weeks after Markman)	Final Pretrial Conference. The Court expects to set this date at the conclusion of the Markman Hearing.
June 20, 2022 (52 weeks after <i>Markman</i> )	Jury Selection/Trial. The Court expects to set this date at the conclusion of the Markman Hearing.

ORDERED this day of	, 2020.
	ALAN D ALBRIGHT
	UNITED STATES DISTRICT JUDGE